

**STAFF REPORT
JUNCTION CITY PLANNING COMMISSION
REZONE (RZ-14-03) - IVORY LLC.**

Application Submitted:	May 23, 2014
Application Deemed Complete	June 16, 2014
Referrals Sent:	June 19, 2014
Public Notices Mailed:	June 19, 2014
Notices Posted on Website:	July 10, 2014
Notice Posted at City Hall:	July 11, 2014
Staff Report Date:	July 1, 2014
Planning Commission:	July 15, 2014

Referrals:	City Administrator Public Works Director Police Chief City Recorder Building Official - Clair Company Fire District Junction City Water Control District Lane County Transportation Lane County Land Management Lane County Surveyors Office Lane Council of Governments Lane County Clerk Lane Regional Air Pollution Authority Oregon Department of Aviation ODOT Region 5 Department of State Lands US Army Corps of Engineers US Postmaster Verizon/MCI Century Link Comcast Pacific Power Emerald Peoples Utility District Blachly-Lane Lane Transit District
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BASIC DATA

Property Owner Representative:	Law Office of Bill Kloos
Property Owner:	Ivory LLC
Location:	SW corner of highways 36 & 99
Assessors Map and Tax Lots:	16-04-08-00-00700 & 16-04-08-31-00400
Area:	40.6 acres
Lane County Zoning:	E40
Proposed Junction City Zoning:	General Commercial
Plan Designation:	Commercial

REQUEST

The applicant proposes to rezone 40.6 acres recently annexed into the City of Junction City. The property is Designated Commercial on the Junction City Comprehensive Plan Map and is currently zoned a Lane County zoning of E-40 (Exclusive Farm Use).

BACKGROUND

The subject property was recently included in the City's Urban Growth Boundary expansion adopted by City Council September 18, 2012 (Ordinance 1212) and approved by DLCD August 9, 2013 (Order # 001840) and later annexed into city limits (Ordinance 1219, dated March 25, 2014).

The property is designated Commercial on the City's Comprehensive Plan Map. See Comprehensive Plan Map attached as Exhibit I. The site lies at the southwest corner of the Highway 99/Highway 36 intersection. The private land is currently vacant.

The site abuts Highways 36 and 99, both state highways. The Oregon Department of Transportation provided comments on the proposed Rezone Request (see ODOT comments below). ODOT will require a Transportation Impact Analysis before the Ivory LLC site can be rezoned to a city zone.

AUTHORIZATION TO INITIATE AMENDMENTS

Chapter 17.145 of the Junction City Municipal Code states, *"An amendment to the text or the zoning map of this ordinance may be initiated by the City Council, by the Planning Commission or by application of a property owner or his authorized agent. The Planning Commission shall, within 40 days after a hearing, recommend to the City Council approval, denial, or modification of the proposed amendment."*

The property owner has initiated the rezoning. After the public hearing, the Planning Commission will be making a recommendation to the City Council.

APPROVAL CRITERIA

As there are no specific criteria for zone change request other than the method above, the City must rely on the policies of the Junction City Comprehensive Plan and Map and Statewide Planning Goals when rezoning parcels. The applicant has submitted a written narrative addressing policies of the Comprehensive Plan that are applicable to rezoning parcels and applicable Statewide Planning Goals are addressed in the proposed Findings of Fact. Applicant's written narrative is attached as Exhibit II to this staff report.

The proposed Planning Commission Final Order RZ-14-03 includes findings of fact and conditions of approval for the Rezone, addressing the criteria of approval listed above. The proposed Final Order is attached as Exhibit VII to this staff report.

CITY AND AGENCY COMMENTS

Daniel L. Fricke, Oregon Department of Transportation

"The application materials also indicate that the applicant intends to prepare a transportation impact analysis (TIA) to demonstrate compliance with OAR 660-012-0060 (Transportation Planning Rule). ODOT concurs that a TIA should be prepared to evaluate the potential impacts of this proposed rezoning and to determine if any improvements will be necessary to ensure continued acceptable operations of the state highways adjacent to the property. We would appreciate an opportunity to assist in the developing of the scope of work for the TIA to ensure that ODOT's concerns are addressed and minimized the need for revisions."

Department of State Lands

"Based on a review of the available information it appears that there may be jurisdictional wetlands and/or waterways on these tax lots. The applicant is advised to have a wetland delineation performed prior

to development.”

PUBLIC NOTICE & COMMENTS

Section 17.150.080(A)-(B) of the Municipal Code states: “ *Each notice of hearing authorized by this ordinance shall be published in a newspaper of general circulation in the City at least ten (10) days prior to the date of the hearing. With the exception of Type IV applications, notice of hearing or contemplated land use action shall be mailed to the applicant and to all owners and abutting property owners, including owners of property which would be abutting if there were not intervening streets, of the property which is the subject of the notice. In addition, notice shall be provided to all owners of record of property on the most recent property tax assessment roll within 300 feet of the subject property. Notice shall be mailed at least 20 days before the date of the hearing or review.* ”

- On July 4, 2014 the public hearing was advertised in the Register Guard Newspaper, at least 10 days prior to the public hearing scheduled for July 15, 2014.
- On June 19, 2014 the City mailed public notice of applicant’s request to all property owners within 300 feet of the subject site. To date, the City has not received any comments.

PUBLIC COMMENTS

None received to date.

STAFF RECOMMENDATION

Based on the proposed findings of fact, staff recommends approval contingent upon the applicant’s submittal of a transportation impact analysis that is found compliant with OAR 660-012-0060.

POSSIBLE ACTIONS BY THE PLANNING COMMISSION

The Commission may:

- a. Recommend conditional approval of the Zoning Map Amendment based on the proposed findings.
- b. Recommend modification of the Zoning Map Amendment based on changes to the proposed findings.
- c. Continue the public hearing to a date certain if more information is needed.

EXHIBITS

- I. Junction City Comprehensive Plan Map
- II. Applicant’s Written Submittal
- III. Referral Comments
- IV. Public Hearing Notice
- V. Summary of Statewide Planning Goals 1 - 19
- VI. Applicable Statewide Planning Goals 1, 2, 5-7, 9, 11-14
- VII. Proposed Planning Commission Final Order (RZ-14-03) Rezone, Ivory LLC